

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMERSSON BAYARDO FLETES,

Defendant.

Case No. MJ24-154

DETENTION ORDER

Defendant Emerson Bayardo Fletes is charged with possession of controlled substances with intent to distribute, 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), 18 U.S.C. § 2. The Court held a detention hearing on March 11, 2024, pursuant to 18 U.S.C. § 3142(f)(1), and based upon the reasons for detention stated in the record and as hereafter set forth below, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. The government is entitled to a detention hearing pursuant to 18 U.S.C. § 3142(f)(1), as Mr. Fletes is charged with an offense with a maximum term of ten years or more under the CSA.
2. There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of

1 the community pursuant to 18 U.S.C. § 3142(e).

2 3. Taken as a whole, the record does not effectively rebut the presumption that no
3 condition or combination of conditions will reasonably assure the appearance of
4 Mr. Fletes as required and the safety of the community.

5 4. Upon advice of counsel, Mr. Fletes declined to be interviewed by Pretrial
6 Services. Therefore, there is limited information available about him.

7 5. Mr. Fletes poses a risk of nonappearance due to pending charges with an active
8 warrant, prior removal from the United States, and use of an alternate name. In
9 addition, he was not interviewed so his background and ties to this district are
10 unknown.

11 6. Mr. Fletes poses a risk of danger due to the nature of the instant offense.

12 7. Based on these findings, and for the reasons stated on the record, there does not
13 appear to be any condition or combination of conditions that will reasonably
14 assure Mr. Fletes's appearance at future court hearings while addressing the
15 danger to other persons or the community.

16 IT IS THEREFORE ORDERED:

17 (1) Mr. Fletes shall be detained pending trial, and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Mr. Fletes shall be afforded reasonable opportunity for private consultation with
22 counsel;
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1 (3) On order of a court of the United States or on request of an attorney for the
2 government, the person in charge of the corrections facility in which Mr. Fletes is
3 confined shall deliver Mr. Fletes to a United States Marshal for the purpose of an
4 appearance in connection with a court proceeding; and

5 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
6 counsel for Mr. Fletes, to the United States Marshal, and to the United States
7 Pretrial Services Officer.

8 Dated this 11th day of March, 2024.

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11 MICHELLE L. PETERSON
12 United States Magistrate Judge
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